

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No.:5:09-CR-381-BO-1

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
TRONE BRONKEITH TILLERY,)
)
Defendant.)

ORDER

This matter is before the Court on the defendant's motion for judgment of acquittal [DE 153] pursuant to Federal Rule of Criminal Procedure 29. For the following reasons, the defendant's motion is DENIED.

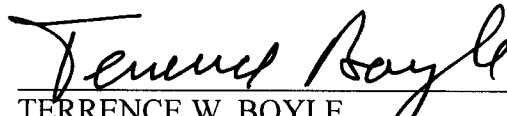
This matter proceeded to jury trial on August 5-6, 2013. At the conclusion of the trial, the jury returned a verdict of guilty against the defendant on all seven counts charged in the third superseding indictment. At the conclusion of the government's evidence, the defendant moved for relief pursuant to Rule 29, which the Court denied.

The defendant now renews his motion for Rule 29 relief alleging that the government witnesses were untrustworthy and that the evidence presented to the jury by the government was either incredible or insufficient to establish guilt beyond a reasonable doubt. Evidence presented by the government included dozens of exhibits, the live testimony of thirteen witnesses, and voice recordings of the defendant admitting to owning and possessing firearms and asking his girlfriend to lie to the grand jury. A jury's verdict "must be sustained if there is substantial evidence, taking the view most favorable to the Government, to support it." *United States v. Mayberry*, 341 Fed.Appx. 859, 861 (4th Cir. 2009)(quoting *Glasser v. United States*, 315 U.S. 60

(1942)); *See also United States v. Martin*, 523 F.3d 281, 284 (4th Cir. 2008). Given the evidence presented to the jury at the trial of this matter it is apparent to this Court that the jury's verdict was supported by substantial evidence and the Court declines to overturn it. As such, the defendant's motion is DENIED.

SO ORDERED.

This the 23 day of August, 2013.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE